

# **PROPOSED CONSTITUTIONAL AMENDMENTS**

## **HOUSE JOINT RESOLUTIONS**

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### **H.J.R. No. 1**

#### **A JOINT RESOLUTION**

proposing a constitutional amendment providing for a four-year term of office for the fire fighters' pension commissioner.

*BE IT RESOLVED BY THE Legislature of the State of Texas:*

SECTION 1. Section 67, Article XVI, Texas Constitution, is amended by adding Subsection (g) to read as follows:

*(g) If the legislature provides for a fire fighters' pension commissioner, the term of office for that position is four years.*

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held on November 6, 2001. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment providing for a four-year term of office for the fire fighters' pension commissioner."

Passed by the House on March 21, 2001, by the following vote: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate on April 3, 2001, by the following vote: Yeas 29, Nays 0, 1 present, not voting.

Filed with the Secretary of State April 9, 2001.

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### **H.J.R. No. 2**

#### **A JOINT RESOLUTION**

proposing a constitutional amendment authorizing a commissioners court of a county to declare the office of constable in certain precincts dormant and providing a procedure for reinstatement of the office.

*BE IT RESOLVED BY THE Legislature of the State of Texas:*

SECTION I. Section 18, Article V, Texas Constitution, is amended by adding Subsection (h) to read as follows:

*(h) The commissioners court of a county may declare the office of constable in a precinct dormant if at least seven consecutive years have passed since the end of the term of the person who was last elected or appointed to the office and during that period of time no person was elected to fill that office, or during that period a person was elected to that office, but the person failed to meet the qualifications of that office or failed to assume the duties of that office. If an office of constable is declared dormant, the office may not be filled by election or appointment and the previous officeholder does not continue to hold the office under Subsection (a) of this section or Section 17, Article XVI, of this constitution. The*

## PROPOSED CONSTITUTIONAL AMENDMENTS

## H.J.R. No. 5, § 1

*records of an office of constable declared dormant are transferred to the county clerk of the county. The commissioners court may reinstate an office of constable declared dormant by vote of the commissioners court or by calling an election in the precinct to reinstate the office. The commissioners court shall call an election to reinstate the office if the commissioners court receives a petition signed by at least 10 percent of the qualified voters of the precinct. If an election is called under this subsection, the commissioners court shall order the ballot for the election to be printed to permit voting for or against the proposition: "Reinstating the office of Constable of Precinct No. \_\_\_\_ that was previously declared dormant." The office of constable is reinstated if a majority of the voters of the precinct voting on the question at the election approve the reinstatement.*

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 5, 2002. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment authorizing the commissioners court of a county to declare the office of constable in a precinct to be dormant if the office has not been filled by election or appointment for a lengthy period and providing a procedure for the reinstatement of the office."

*Passed by the House on April 30, 2001, by the following vote: Yeas 135, Nays 9, 2 present, not voting; passed by the Senate on May 18, 2001, by the following vote: Yeas 30, Nays 0, 1 present, not voting.*

*Filed with the Secretary of State May 21, 2001.*

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## H.J.R. No. 5

### A JOINT RESOLUTION

*proposing a constitutional amendment prescribing requirements for imposing a lien for work and material used in the construction, repair, or renovation of improvements on residential homestead property and including the conversion and refinance of a personal property lien secured by a manufactured home to a lien on real property as a debt on homestead property protected from a forced sale.*

*BE IT RESOLVED BY THE Legislature of the State of Texas:*

*SECTION 1. Section 50(a), Article XVI, Texas Constitution, is amended to read as follows:*

*(a) The homestead of a family, or of a single adult person, shall be, and is hereby protected from forced sale, for the payment of all debts except for:*

*(1) the purchase money thereof, or a part of such purchase money;*

*(2) the taxes due thereon;*

*(3) an owelty of partition imposed against the entirety of the property by a court order or by a written agreement of the parties to the partition, including a debt of one spouse in favor of the other spouse resulting from a division or an award of a family homestead in a divorce proceeding;*

*(4) the refinance of a lien against a homestead, including a federal tax lien resulting from the tax debt of both spouses, if the homestead is a family homestead, or from the tax debt of the owner;*